

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Hall et al

SERIAL NO.: 10/696274

ART UNIT: 3625

FILED: 10/29/2003

EXAMINER: Allen, William

TITLE: Interface for Conducting the Closing of a Real Estate Sale Over a Computerized Network

ATTORNEY DOCKET NO.: ICLS 1001-3

Assistant Commissioner For Patents
Washington, D.C. 20231

Petition To Commission

(37 C.F.R. §1.705(e))

Sir:

This is a petition under 37 C.F.R. §1.705(e) for reconsideration of the Patent Term Adjustment under 35 U.S.C. 154(b).

Statement Of Facts

A Notice of Allowance and Patent Term Adjustment were mailed April 01, 2009. The Patent Term Adjustment determined by the U.S.P.T.O is 225 days (527 PTO days – 302 App days = 225 PTA days). Of the 302 App days, 259 App days were determined by the USPTO as the Applicant being non-responsive from 3/14/07 to 11/28/07.

Point To Be Reviewed

3/14/07 - Applicants filed an amendment

9/18/07 – USPTO Examiner mailed an office action “Notice of Non Responsive Amendment – Impermissible Shift”

11/28/07 - Applicants filed an amendment and reconsideration of "Notice of Non Responsive Amendment"

01/23/08 – USPTO mailed an office action, wherein the Examiner held "the Applicants' remarks regarding the Election by Original Presentation are persuasive..."

Summary: The Applicants were held responsive by the Examiner and the Patent Term Adjustment calculation by the USPTO should not have included 259 Applicant days due to Applicants being non responsive.

Action Requested

Applicants respectfully request that the Patent Term Adjustment period be reviewed and recalculated and that the 259 App days used in the USPTO's Patent Term Adjustment calculation be removed from the calculation.

Respectfully submitted,

/Kevin P. Correll/

05/02/09

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Date

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